

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Roland McKind v Palms Investments LLC**
Docket No. **273138**
L.C. No. **05-506796-CK**

Michael J. Talbot, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike appellant's brief is GRANTED TO THE EXTENT that Exhibit C to appellant's brief, which is the complete deposition transcript of Roland McKind with attached deposition exhibits, is STRICKEN as an impermissible expansion of the record on appeal. The record on appeal is confined to the record made in the trial court. MCR 7.210(A)(1) and *Coburn v Coburn*, 230 Mich App 118, 122-123; 583 NW2d 490 (1998), rev'd on other grounds, 459 Mich 874, 875 (1998). The Clerk is directed to remove Exhibit C from appellant's brief and replace it with a copy of this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 04 2007

Date

Sandra Schultz Mengel

Chief Clerk